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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/705,261	11/12/2003	Atsunori Kitazawa	Q78301	3189

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EXAMINER

ROTH, LAURA K

ART UNIT PAPER NUMBER

2852

DATE MAILED: 05/08/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

H.P.

Office Action Summary	Application No. 10/705,261	Applicant(s) KITAZAWA ET AL.	
	Examiner Laura K. Roth	Art Unit 2852	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) 1-8 and 11-16 is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 9 and 10 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 November 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date: ____. |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>11/12/03</u> <u>6-29-05</u> | 6) <input type="checkbox"/> Other: ____. |

Election/Restrictions

Applicant's election without traverse of Species V, Figs. 9-10, readable on claims 9 and 10, in the reply filed on 7 April 2006 is acknowledged.

Specification

The disclosure is objected to because of the following informalities: the phrase "6000 mPa(s" should be revised (p.11, ln.3).

Appropriate correction is required.

The lengthy specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 9 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tsukamoto (US 6,148,169). in view of Kadokura et al. (US Pub. 2003/0039913).

Regarding claim 9, Tsukamoto (US 6,148,169) teaches a fixing device (fig.5) comprising: a heat contact member arranged to be able to contact one side of a

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recording medium while heating the one side of the recording medium on which side an unfixed toner image is carried (fig.5, #2 to contact toner side T of paper P), the toner image formed with a liquid developer including a toner dispersed in a carrier liquid (fig.7, #T, Tt dispersed in Tc; col.3, ln.50-54); and a pressing member pressing on the other side of said recording medium for pressing said recording medium against said heat contact member (fig.5, #12, #8, #11), the fixing device operating to fix said unfixed toner image to the one side of said recording medium by passing said recording medium through a nip portion defined between said heat contact member and said pressing member (fig.5, nip formed in area of contact from contact of #11 with #2 to contact of #8 with #2),

Regarding claim 10, Tsukamoto (US 6,148,169) teaches a fixing device wherein said heat contact member includes a heat roller (fig.5, #2); wherein said pressing member includes a plurality of rollers including two nip rollers adjoining said heat roller (fig.5, #11 and #8); and an endless belt run about said plural rollers and capable of moving in a cycling manner (fig.5, #12), and establishes said nip portion by holding a part of an outside surface of said endless belt in pressure contact with said heat roller by means of said two nip rollers (fig.5, see interaction of #2, #11, #8, and #12); (para.0041, ln.3-4).

However, Tsukamoto (US 6,148,169) fails to teach a fixing device wherein a nip pressure at an inlet site of said nip portion is set lower than a nip pressure at an exit site of said nip portion or a fixing device with a nip formed with rollers wherein out of said two nip rollers, the nip roller on the inlet side of said nip portion has a lower pressing

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force for pressing said endless belt against said heat roller than a pressing force of the nip roller on the exit side of said nip portion for pressing said endless belt against said heat roller.

Regarding claim 9, Kadokura et al. (US Pub. 2003/0039913) teach a fixing device wherein a nip pressure at an inlet site of said nip portion is set lower than a nip pressure at an exit site of said nip portion (para.0044, ln.1-3).

It would have been obvious to one of ordinary skill in the art at the time of invention to modify the pressing member of the fixing device of Tsukamoto (US 6,148,169) with the increased pressure on the exit site of the nip as in Kadokura et al. (US Pub. 2003/0039913) to improve the releasing property of the device (para.0044).

Regarding claim 10, it would have been further obvious to one of ordinary skill in the art at the time of invention to make the proposed modification by applying a higher pressure on the roller located at the exit site of the nip so as to achieve the effect without substantially increasing the number of parts in the apparatus.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Laura K. Roth whose telephone number is (571)272-2154. The examiner can normally be reached on Monday-Friday, 7:30 am to 3:30 pm.

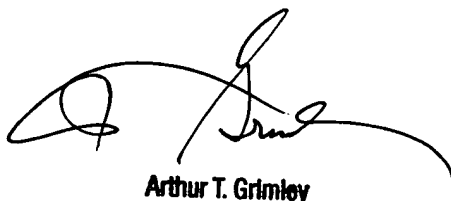
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Arthur T. Grimley can be reached on (571)272-2136. The fax phone

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number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

LKR
5/3/2006



Arthur T. Grimley
Supervisory Patent Examiner
Technology Center 2800